



APPLICATION ACCEPTED: July 7, 2014
PLANNING COMMISSION: December 11, 2014
BOARD OF SUPERVISORS: January 27, 2015
@ 3:30 P.M.

County of Fairfax, Virginia

November 26, 2014

STAFF REPORT

SPECIAL EXCEPTION SE 2014-MV-041

MOUNT VERNON DISTRICT



APPLICANT: Northern Virginia Radio Control Club

ZONING: Residential Conservation (R-C) District

PARCEL: 113-1 ((1)) 14 part

SITE AREA: 47.89 acres

PLAN MAP: Public Facilities, Governmental and Institutional

SE CATEGORY: Category 3, Private Club

PROPOSAL: To permit a radio control model aircraft park as a private club use on a portion of the I-95 Landfill Complex.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2014-MV-041, subject to the approval of the proposed development conditions contained in Appendix 1.

Staff recommends that the Board of Supervisors direct the Director of the Department of Public Works and Environmental Services to approve a waiver of the dustless surface requirement pursuant to Par. 11 of Sect. 11-102 of the Zoning Ordinance.

Staff recommends approval of a waiver of Par. 1 of Sect. 13-202 of the Zoning Ordinance for interior parking lot landscaping.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Mary Ann Tsai, AICP

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

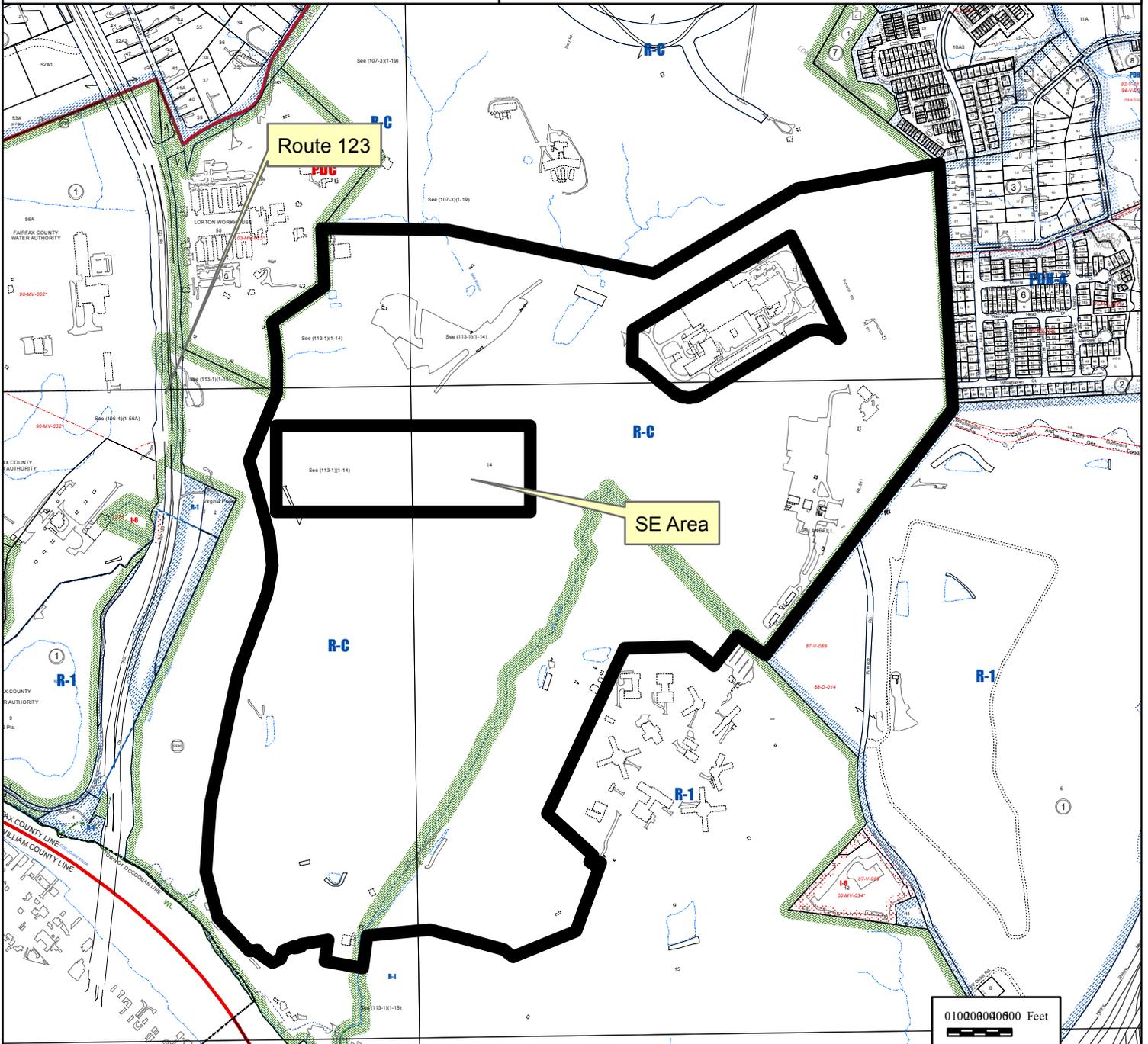
SE 2014-MV-041

Applicant:
Accepted:
Proposed:
Area:

NORTHERN VIRGINIA RADIO CONTROL CLUB
07/07/2014
REMOTE CONTROL AIR PARK
47.896 AC OF LAND



Zoning Dist Sect: 03-0C04
Located: 9850 FURNACE ROAD, LORTON, VA 22079
Zoning: R- C
Overlay Dist:
Map Ref Num: 113-1- /01/ /0014 (part)



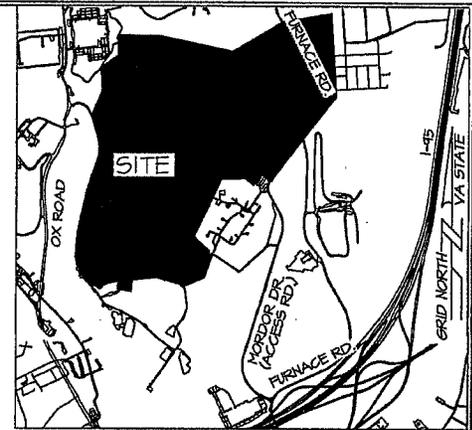
VA STATE GRID NORTH AND 83 NORTH ZONE

PARCEL E
LORTON CORRECTIONAL
COMPLEXES (LCC)
D.B. 13116, PG. 2200
107-3 (11) 19

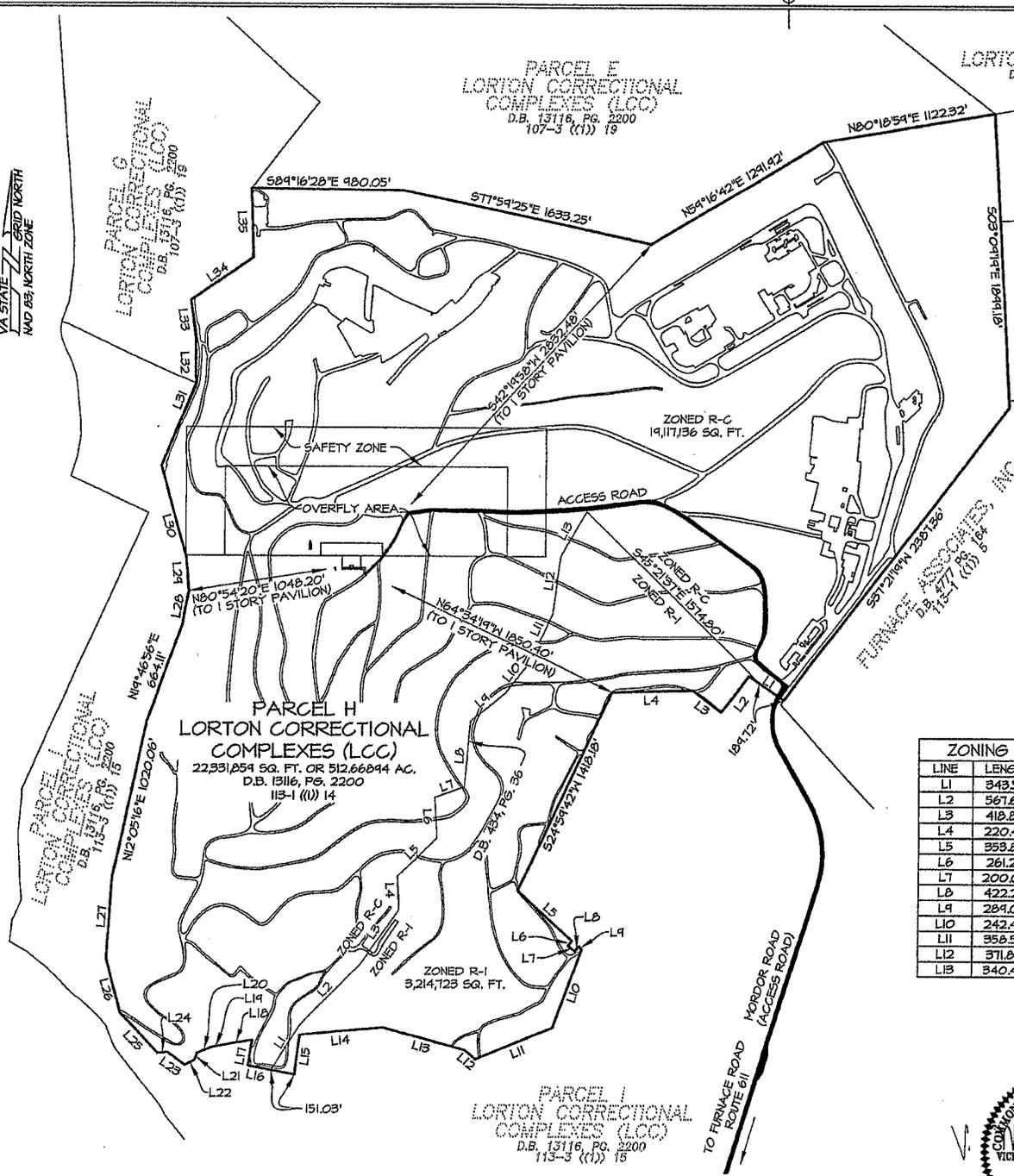
SECTION 1
LORTON VALLEY NORTH
D.B. 14801 PG. 1090
107-3 (7)

SHIRLEY ACRES
D.B. 988 PG. 128
107-3 (3)

THE VILLAGE AT
LORTON VALLEY
SECTION ONE
D.B. 13853 PG. 1609
107-3 (6)



VICINITY MAP
1"=2000'



PARCEL H
LORTON CORRECTIONAL
COMPLEXES (LCC)
22,331,851 SQ. FT. OR 512.66844 AC.
D.B. 13116, PG. 2200
113-1 (11) 14

PARCEL I
LORTON CORRECTIONAL
COMPLEXES (LCC)
D.B. 13116, PG. 2200
113-3 (11) 15

BOUNDARY LINE TABLE

LINE	LENGTH	BEARING
L1	271.77'	N55°56'38"W
L2	245.00'	S37°54'47"W
L3	224.41'	N52°30'56"W
L4	520.61'	S68°23'40"W
L5	480.18'	S47°46'12"E
L6	42.32'	S37°20'28"W
L7	57.08'	S52°24'19"E
L8	41.01'	N37°51'08"E
L9	28.10'	S37°16'07"E
L10	543.64'	S20°08'55"W
L11	533.64'	S67°27'15"W
L12	41.54'	N50°35'38"W
L13	545.00'	N74°44'56"W
L14	538.01'	S84°42'12"W
L15	256.37'	S07°27'10"W
L16	300.26'	N79°31'19"W
L17	166.22'	N09°45'40"E

L18	212.78'	S60°24'03"W
L19	54.54'	S76°40'38"W
L20	48.52'	S67°24'52"W
L21	45.63'	S19°26'56"W
L22	71.18'	S62°32'56"W
L23	134.55'	N54°36'03"W
L24	63.24'	S85°11'41"W
L25	357.74'	N43°07'53"W
L26	364.50'	N14°48'40"W
L27	334.41'	N03°44'08"E
L28	221.13'	N10°21'43"E
L29	228.25'	N05°08'31"W
L30	607.84'	N15°14'38"W
L31	568.17'	N22°24'06"E
L32	280.34'	N00°29'44"W
L33	261.70'	N06°53'35"W
L34	486.80'	N55°15'02"E
L35	445.36'	N01°42'33"W

ZONING LINE TABLE

LINE	LENGTH	BEARING
L1	343.53'	N31°47'23"E
L2	567.60'	N44°12'23"E
L3	418.80'	N34°35'23"E
L4	220.40'	N02°37'37"W
L5	353.80'	N45°17'23"E
L6	261.20'	N03°01'37"W
L7	200.00'	N69°40'23"E
L8	422.20'	N04°37'23"E
L9	284.00'	N50°34'23"E
L10	242.40'	N89°12'23"E
L11	358.50'	N25°01'23"E
L12	371.80'	N07°16'23"E
L13	340.40'	N29°44'23"E

NOTES:
THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE ALL ENCUMBRANCES TO THE PROPERTY ARE NOT NECESSARILY SHOWN HEREON.

THE INFORMATION SHOWN ON THIS PLAT WAS COMPILED FROM EXISTING LAND RECORDS AND DOES NOT REPRESENT THE RESULT OF AN ACTUAL FIELD SURVEY.

THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON TAX ASSESSMENT MAP 113-1 (11) 14.

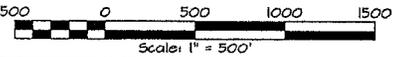
LORTON RC AIR PARK

FAIRFAX COUNTY, VIRGINIA
DEPT. OF PUBLIC WORKS & ENVIRONMENTAL SERVICES
CAPITAL FACILITIES, LAND SURVEY BRANCH
12000 GOVERNMENT CENTER PKWY, FAIRFAX, VIRGINIA

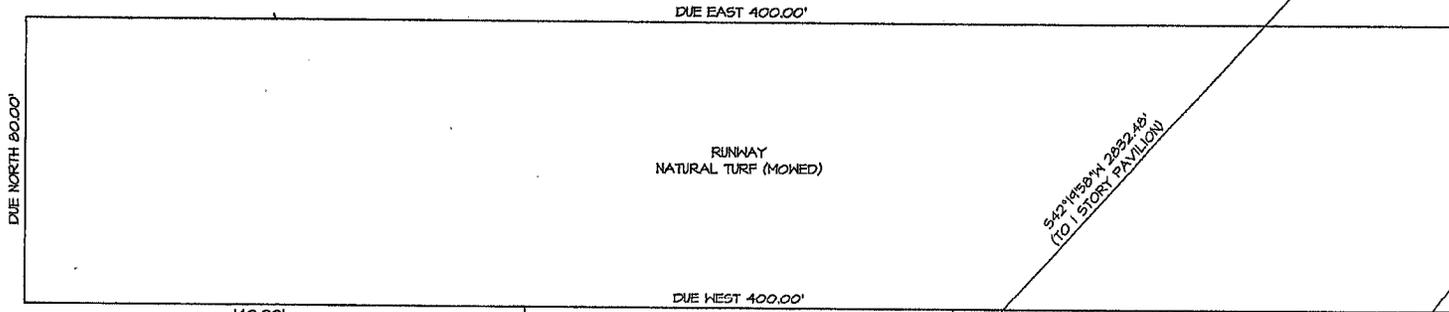
SPECIAL EXCEPTION PLAT SHOWING
LORTON REMOTE CONTROL AIR PARK
ON

PARCEL H
LORTON CORRECTIONAL COMPLEXES (LCC)
D.B. 13116, PG. 2200

MOUNT VERNON DISTRICT, FAIRFAX COUNTY SHEET 1 OF 2
SCALE: 1"=500' DATE: 10/9/14 DRAWN BY: BLN

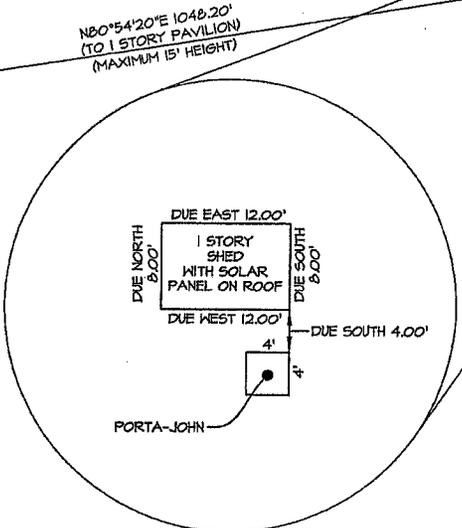
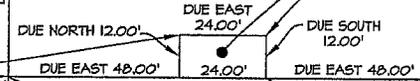


VA STATE ZONING NORTH
 NAD 83 NORTH ZONE



PITS
 NATURAL TURF (MOWED)

1 STORY
 PAVILION



PARCEL H
LORTON CORRECTIONAL COMPLEXES (LCC)
 22,331,859 SQ. FT. OR 512,668.94 AC.
 D.B. 13116, PG. 2200
 113-1 (11) 14

PARKING TO BE PROVIDED ADJACENT TO THE ROADWAY.
 WAIVER OF PAR. II OF SECT. 11-102 OF THE ZONING ORDINANCE
 FOR A DUSTLESS SURFACE.

PERMANENT STRUCTURE AREAS
 PAVILION 288 SQ. FT.
 SHED 96 SQ. FT.

OTHER AREAS
 RUNWAY NATURAL TURF (MOWED) 32,000 SQ. FT.
 PITS NATURAL TURF (MOWED) 9,312 SQ. FT.
 GRAVEL DRIVEWAY 2,050 SQ. FT.

NOTES:
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 THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON TAX ASSESSMENT MAP 113-1 (11) 14.

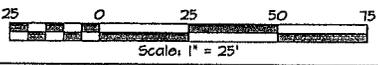
LORTON RC AIR PARK

FAIRFAX COUNTY, VIRGINIA
 DEPT. OF PUBLIC WORKS & ENVIRONMENTAL SERVICES
 CAPITAL FACILITIES, LAND SURVEY BRANCH
 12000 GOVERNMENT CENTER PKWY, FAIRFAX, VIRGINIA

SPECIAL EXCEPTION PLAT SHOWING
 LORTON REMOTE CONTROL AIR PARK
 ON
 PARCEL H
 LORTON CORRECTIONAL COMPLEXES (LCC)
 D.B. 13116, PG. 2200

MOUNT VERNON DISTRICT, FAIRFAX COUNTY SHEET 2 OF 2

SCALE: 1"=25' DATE: 10/9/14 DRAWN BY: BLN



DESCRIPTION OF THE APPLICATION

The applicant, Northern Virginia Radio Control Club (NVRC), requests special exception approval to operate a radio control model aircraft park (aircraft park) on a portion of the County-owned I-95 Landfill Complex in Lorton as a private club use. Figure 1 provides the location and surrounding area.

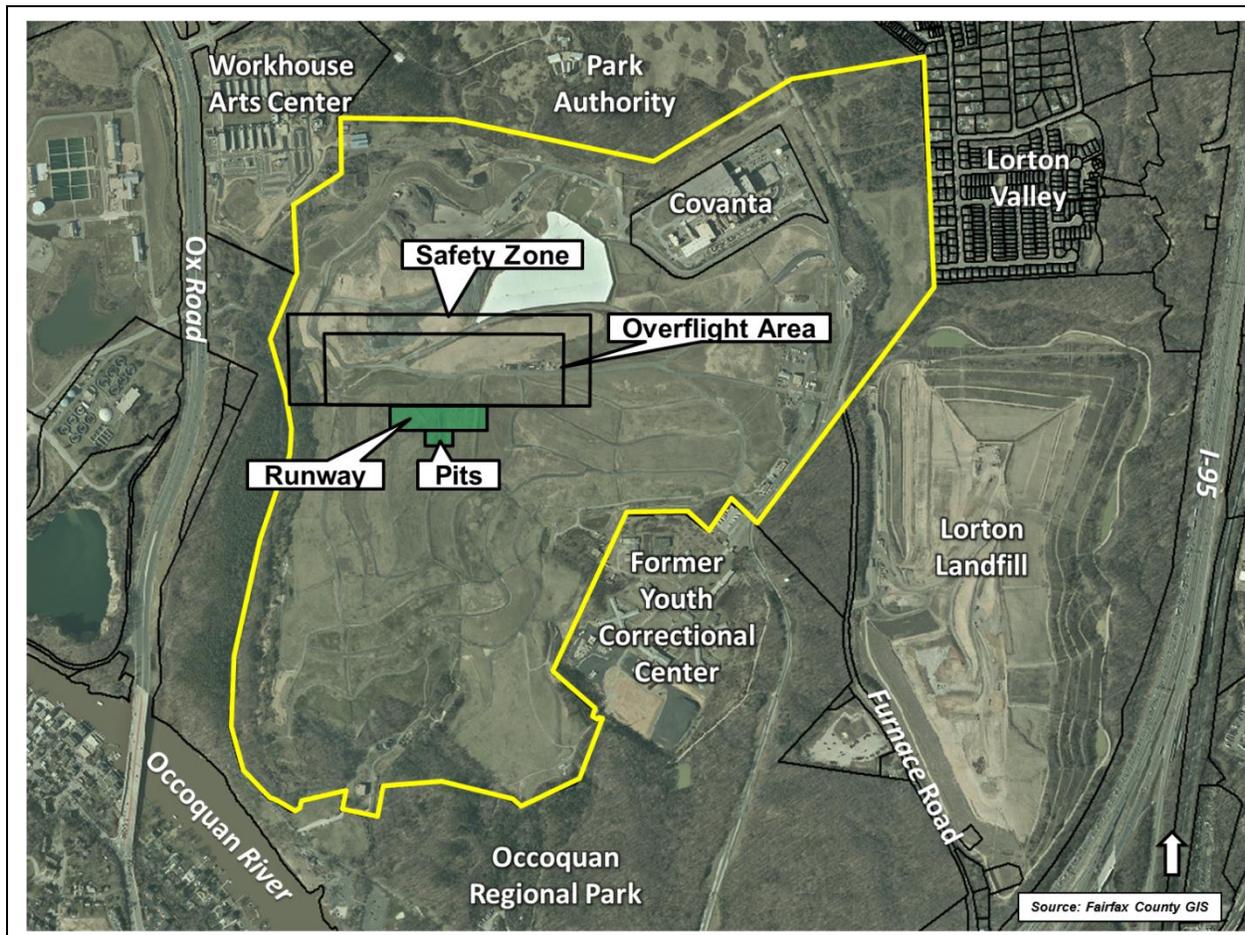


Figure 1: Radio control aircraft park and surrounding area.

The model aircraft park contains a runway, pits area, overflight area, and safety zone. The runway area is where model aircraft take-off and land. The pits area is used for assembling aircraft and as a lounging area for pilots and spectators. A garden shed for storage and a pavilion for shelter from the weather is proposed in the pits area. A solar panel may be provided on the roof of the shed for interior lighting of the shed. An example of the shed and pavilion is provided as Figures 2 and 2A, respectively. The overflight area is the airspace where model aircraft are flown and generally users of the aircraft park do not enter the ground area below, except to retrieve the occasional aircraft that is unable to return to the runway. A safety zone provides an additional buffer area to the overflight area to safeguard roads, buildings, and/or outdoor activities

that may be in the general area. With the exception of the shed and pavilion, no structures are proposed with the aircraft park use.



Figure 2: Example of proposed garden shed and solar panel

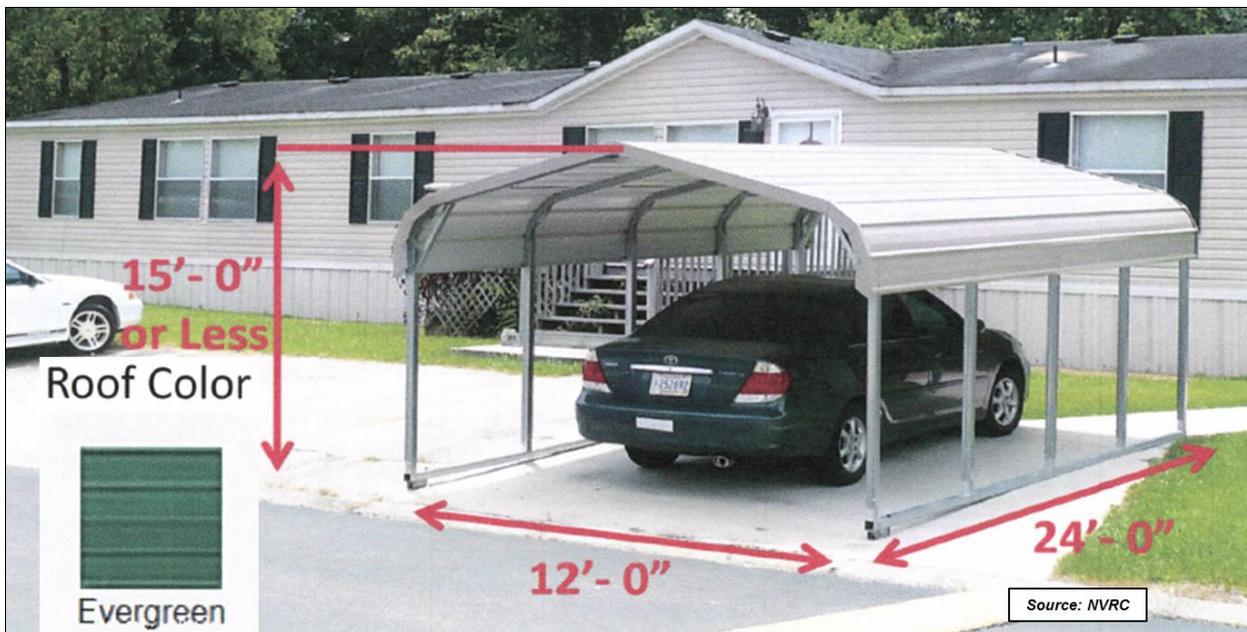


Figure 2A: Example of proposed pavilion

The hours of operation are limited to weekend use from 9:00 a.m. to sunset or earlier if the I-95 Recycling and Disposal Facility closes earlier. Approximately 20 automobile trips are anticipated per day based on activity levels found at other model aircraft parks that offer a similar level of service. Use of the aircraft park is proposed to be limited to

members from a sub-chapter within the NVRC organization whose membership is limited to 75 members. Special events are proposed two or three times a year with approval by the Department of Public Works and Environmental Services (DPWES). Users and visitors to the aircraft park will be required to check-in and check-out with the I-95 landfill complex staff prior to proceeding and leaving the site.

The applicant will be the activity manager for the aircraft park under the guidance of the Solid Waste Management Program in DPWES. Use of the aircraft park will be restricted to active NVRC members who have insurance to provide liability coverage in the event of an accident. Such insurance is provided through an active membership with the Academy of Model Aeronautics (AMA) and all pilots are required to be members of AMA. In addition, the applicant is a chartered club of the AMA and receives liability insurance that covers the club and the primary site owner (Fairfax County). No employees or outdoor lighting are proposed.

A Memorandum of Agreement (MOA) between the applicant and the Board of Supervisors has been drafted by the County Attorney's office on the operation of the aircraft park at the I-95 Landfill Complex. The MOA is being processed as a concurrent action item by the Board of Supervisors pending its approval of this application. A copy of the draft MOA is provided as Appendix 4.

Waivers and Modifications

The applicant requests the following waivers and modifications:

- Waiver of the dustless surface requirement pursuant to Par. 11 of Sect. 11-102 of the Zoning Ordinance.
- Waiver of Par. 1 of Sect. 13-202 of the Zoning Ordinance for interior parking lot landscaping.

A copy of the staff proposed development conditions, the applicant's statement of justification, and affidavit are provided as Appendices 1-3, respectively.

LOCATION AND CHARACTER

The aircraft park is proposed to be located in the western portion of the I-95 Landfill Complex. The I-95 Landfill Complex is located north of Occoquan Regional Park, south of the Laurel Hill equestrian area, east of Ox Road, and west of I-95. Access to the landfill is provided from Furnace Road and an existing landfill access road provides access to the aircraft park.

The I-95 Landfill Complex includes an approximately 290-acre closed sanitary landfill, which closed on December 31, 1995. The remainder of the I-95 Landfill Complex

includes an approximately 23-acre energy/resource recovery facility operated by Covanta, and an approximately 100-acre ash landfill.

BACKGROUND

In 1973, the I-95 landfill began operating under the Virginia Department of Environmental Quality Permit #103. In June 1990, the energy/resource recovery facility began operating and in June 1993, an amendment to DEQ Permit #103 was granted to allow the construction of the ash monofill and began operating in December 1995. On December 31, 1995, the I-95 municipal solid waste landfill ceased operation.

COMPREHENSIVE PLAN PROVISION

The subject property is identified as part of Land Unit 6 in the Fairfax County Comprehensive Plan, 2013 Edition Area IV, Lower Potomac Planning District, amended through June 3, 2014, LP1-Laurel Hill Community Planning Sector, pages 56-59. The site specific recommendation is provided below and the entire Plan recommendations for Land Unit 6 are contained in Appendix 5.

The portion of the I-95 Landfill currently under closure procedures should be considered for adaptive reuse for active and passive recreational purposes and should be part of the long-term expansion of the Fairfax County park system or of the Occoquan Regional Park to further serve the needs of the Northern Virginia area.

SPECIAL EXCEPTION (SE) PLAT (Located at the front of the report)

Special Exception Plat entitled, "Lorton RC Airpark," was prepared by the Fairfax County Department of Public Works and Environmental Services, Capital Facilities, Land Survey Branch on March 11, 2014, revised through October 9, 2014, and consists of two sheets. The SE Plat depicts the following:

- The location of the proposed model aircraft park on the I-95 Landfill Complex, which includes a safety zone, overfly area, runway, and pits area.
- A 32,000 square foot natural turf (mowed) runway that is 400 feet in length and oriented in an east-west direction.
- A 9,312 square foot pits natural turf (mowed) area, located south of the runway and contains a one-story 288 square foot (12 feet x 24 feet) pavilion 15 feet in height.
- A 2,050 square foot gravel driveway (approximately 150 feet in length and 32 feet from the landfill access road) is shown and provides a travel way from the existing landfill access road to the aircraft park parking area.

- An enlargement shows a one-story shed containing 96 square feet with a solar panel on the roof and a 16 square foot porta-john located to the west of the gravel driveway.

ANALYSIS

Land Use

The Comprehensive Plan recommends that the closed I-95 landfill “should be considered for adaptive reuse for active and passive recreational purposes.” A feasibility study was conducted in 2011 by DPWES on the reuse of the I-95 landfill. The feasibility study identified a model airplane park as a possible reuse of the site and such use is considered a recreational use.

The Comprehensive Plan further recommends that active and passive recreation uses “should be part of the long-term expansion of the Fairfax County park system or of the Occoquan Regional Park to further serve the needs of the Northern Virginia area.” Occoquan Regional Park is adjacent to the I-95 Landfill Complex, and in the future, the use could be part of the long-term expansion of either the County park system or Occoquan Regional Park.

NOVA Parks (former known as the Northern Virginia Regional Park Authority) and manager of the Occoquan Regional Park reviewed this application and noted that a portion of the proposed safety zone is located over NOVA Parks property and recommended that this area should be adjusted so that the safety zone airspace is not over NOVA Parks property. NOVA Parks also raised concern about possible noise impacts. A copy of the NOVA Parks letter is provided as Appendix 6. The applicant adjusted the proposed safety zone area so that the airspace is no longer above NOVA Parks property. To address NOVA Parks’ concern on possible noise impacts, the applicant provided that in the spring of 2012, a series of demonstration flights were performed by the applicant at the proposed aircraft park location on the I-95 landfill so that surrounding neighbors could assess whether there was a discernible noise impact. Observers included representatives from the I-95 Landfill Complex, the Lorton Arts Center, and adjacent neighborhoods. It is staff’s understanding that no objectionable noise was heard. The aircraft park is located a significant distance from surrounding uses and residential uses do not abut the aircraft park. Any noise generated from this use is subject to Sect. 14-700, Noise Standards, of the Zoning Ordinance.

The proposed co-location of the aircraft park at the I-95 Landfill Complex has been coordinated and reviewed by DPWES staff, who has been working with the applicant on the proposed use. The aircraft park is not anticipated to conflict with the daily operations of the landfill and recycling center.

As previously discussed, the conditions for the operation of the aircraft park will be governed by a MOA, drafted by the County Attorney's office, between the applicant the Board of Supervisors. A copy of the draft MOA is provided as Appendix 4.

It is noted that the applicant operates a similar aircraft park at Poplar Ford Park, located off Bull Run Post Office Road in Chantilly. The applicant and the Fairfax County Park Authority executed a similar MOA agreement on the operation of the aircraft park at Poplar Ford Park. For reference, Figure 3 is a photograph of the aircraft park at Poplar Ford Park and its site layout is similar to the proposed layout of the aircraft park at the I-95 landfill.

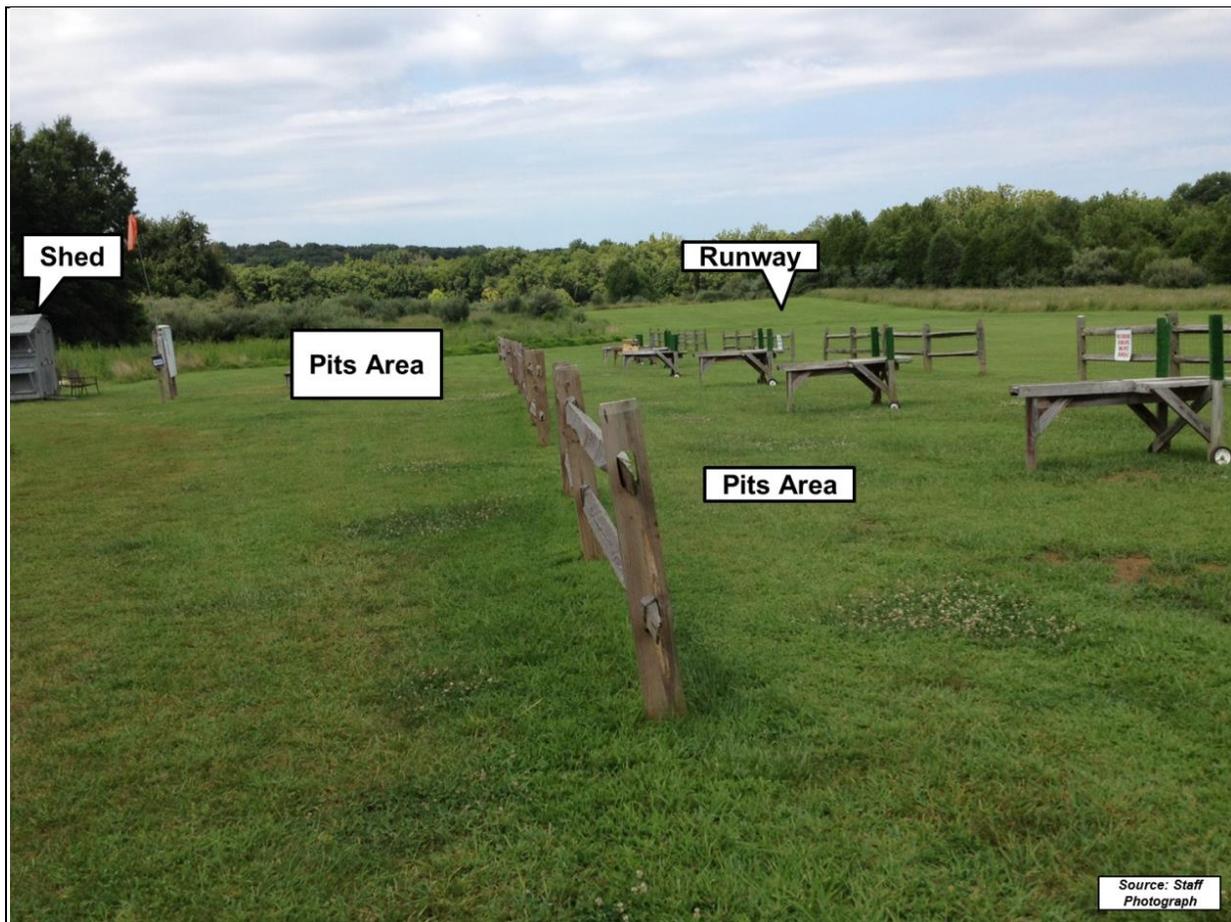


Figure 3: Poplar Ford Aircraft Park

Transportation

Access to the aircraft park is provided from the existing on-site landfill access road, which provides access on the landfill. As previously discussed, users of the aircraft park will be required to check-in and check-out with the landfill staff before proceeding to the aircraft park and when leaving the site.

Initially, no on-site parking was proposed with the aircraft park use. While the transportation memo in Appendix 7 recommends that 20 parking spaces should be provided, parking should be provided in accordance with Par. 15 of Sect.11-106 of the Zoning Ordinance, which states that for private clubs “one space per three members based on maximum anticipated membership” is required. Such parking area would protect the landfill surface from repeated wear and tear of vehicles parking on-site. The parking area is proposed to be constructed of milled asphalt, gravel, or similar material and requires a dustless surface waiver. The applicant has requested such waiver and is discussed in the Waivers and Modifications section of this report.

The applicant has agreed to provide on-site parking in accordance with Par. 15 of Sect.11-106 of the Zoning Ordinance. As previously discussed, users of the I-95 aircraft park will be members from a sub-chapter within the organization whose membership is limited to 75. Based on 75 members, 25 parking spaces would be required. Overflow parking for special events, which are anticipated to be two to three times a year with DPWES approval, may temporarily be on an unimproved area in accordance with the County’s instructions. With the proposed development conditions, there are no outstanding issues.

Stormwater

With the proposed parking area, an increase in impervious surface is anticipated and stormwater management would need to be addressed. To address this, the applicant proposes to purchase nonpoint nutrient credits to meet the required phosphorous reduction. The new stormwater regulations permit the purchase of nutrient credits as an alternative to installing water quality measures on-site. The nonpoint nutrient credits may be used to meet the required pollution reduction based on how many pounds of phosphorus credit is needed to satisfy the stormwater ordinance. The applicant has contacted the Chesapeake Bay Nutrient Land Trust, a nutrient credit bank, which has indicated that nutrient credits are available for purchase. Staff has proposed a development condition requiring that development of the aircraft park shall meet applicable stormwater requirements prior to site plan approval. With the proposed development condition, there are no outstanding issues.

ZONING ORDINANCE PROVISIONS

Standards for all Category 3 Uses (Sect. 9-304)

Staff review of the applicable Zoning Ordinance provisions is based on Sect. 9-006 of the Zoning Ordinance, General Standards, which provides that all such uses shall satisfy the general standards for special exception uses. In addition to the general special exception standards, special exception uses have to satisfy specific use (Category 3) standards. The applicant has been deemed a private club, which is a

Category 3 special exception use in the Residential Conservation (R-C) District. The following is an analysis of the Category 3 standards.

Standard 1: For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.

This standard is not applicable since the proposed Category 3 use is a private club and not a public use.

Standard 2: Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.

The aircraft park is proposed on the I-95 Landfill Complex, which is in the R-C District. The R-C District lot size requirement is five acres for a conventional subdivision lot with a minimum lot width of 200 feet. The I-95 Landfill Complex contains over 400 acres and exceeds the minimum lot width. As such, the R-C District lot size requirements have been met.

Standard 3: Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.

In the R-C District, the maximum building height is 60 feet. A pavilion and a shed are proposed. Neither structure is proposed to exceed 60 feet in height nor is the applicant requesting an increase to the maximum building height permitted under Sect. 9-607 of the Zoning Ordinance. This standard has been met.

Standard 4: All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.

No outdoor lighting is proposed.

Standard 5: Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

The applicant is subject to Article 17, Site Plans, of the Zoning Ordinance.

General Standards (Sect. 9-006)

In addition to the standards for all Category 3 (radio controlled aircraft park as a private club) use, all proposed uses also need to satisfy the following general standards. The following provides a revised analysis based on the submitted revised application.

General Standard 1: The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

The site specific Comprehensive Plan guidance recommends that the portion of the landfill currently under closure procedures should be considered for adaptive reuse for active and passive recreational purposes. The I-95 landfill has been closed since December 31, 1995. As previously discussed in the Land Use section of this report, the proposed aircraft park is a recreational use proposed on the closed landfill. As such, the proposed use is in harmony with the Comprehensive Plan recommendation.

General Standard 2: The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

The proposed use is located in the R-C District, which was established to protect water courses, stream valleys, marshes, forest cover in watersheds, aquifer recharge areas, rare ecological areas, and areas of natural scenic vistas; to minimize impervious surface and to protect the quality of water in public water supply watersheds; to promote open, rural areas for the growing of crops, pasturage, horticulture, dairying, floriculture, the raising of poultry and livestock, and for low density residential uses. The proposed use is a low intensity use with minimal land disturbance and improvements and would continue to preserve natural environment. As such, this standard has been met.

General Standard 3: The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

With the proposed aircraft park, only a pavilion to provide shelter from the weather and a shed for storage are proposed. The aircraft park maintains the natural environment and its use is limited to the weekend. The aircraft park is located in the western part of the approximately 400-acre closed landfill and is not adjacent to residential uses. The proposed use is not anticipated to hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

General Standard 4: The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The hours of operation for the aircraft park is proposed to be on the weekends from 9:00 a.m. to sunset or earlier if the I-95 Recycling and Disposal Facility closes earlier. Use of the aircraft park is not expected to exceed 20 vehicles trips per day based on activity levels at other model aircraft parks that offer a similar level of service as

proposed. As such, a minimal amount of vehicle trips is anticipated from the proposed use. Overflow parking for special events, which are anticipated to be two to three times a year with DPWES approval, may temporarily be on an unimproved area in accordance with the County's instructions. No pedestrian traffic is anticipated with the use. Pedestrian and traffic associated with the proposed use is not anticipated to be hazardous or conflict with the existing and anticipated traffic in the area.

General Standard 5: In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.

Landscaping and screening are not appropriate for a model aircraft use and limited landscaping and screening exists on the closed landfill. No additional landscaping is requested by staff.

General Standard 6: Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

There is no open space requirement for the proposed use in the R-C District.

General Standard 7: Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

As previously discussed, stormwater management will be addressed through the purchase of off-site nutrient credits, which is permitted in the new stormwater regulations. Parking will be provided on-site. This standard has been addressed.

General Standard 8: Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

No signage is proposed.

WAIVERS AND MODIFICATIONS

Waiver of Par. 11 of Sect. 11-102 of the Zoning Ordinance for a dustless surface

Par. 11 of Sect. 11-102 of the Zoning Ordinance provides “[a]ll off-street parking areas, including aisles and driveways, except those required for single family detached dwellings, shall be constructed and maintained with a dustless surface...”

The applicant requests a waiver of Par. 11 of Sect. 11-102 for the proposed parking area and driveway that serves as a drive aisle from the landfill access road to the

aircraft park and parking area. Both are proposed to be constructed of milled asphalt, gravel, or similar material and would be consistent with the materials used for the existing landfill access road, which are not paved. Such surface would maintain the existing character of the landfill. Staff does not object to the dustless surface waiver request.

Waiver of Par. 1 of Sect. 13-202 of the Zoning Ordinance for interior parking lot landscaping.

Par. 1 of Sect. 13-202 of the Zoning Ordinance states that “[a]ny parking lot of twenty (20) or more spaces shall be provided with interior landscaping covering not less than five (5) percent of the total area of the parking lot.”

The applicant requests a waiver of Par. 1 of Sect. 13-202 given that the proposed parking area is located on the closed I-95 landfill and plantings are limited due to the landfill cap and concern with roots penetrating the cap. Staff does not object to the requested waiver.

RECOMMENDATIONS

Staff Conclusions

In staff’s opinion, the proposed radio control model aircraft park at the I-95 Landfill Complex meets the intent of the Comprehensive Plan recommendation for an adaptive recreational reuse of the closed landfill. The proposed use has been coordinated with the Department of Public Works and Environmental Services, which operates and manages the I-95 Complex. Further, the aircraft park is not anticipated to adversely impact the surrounding properties given its distance from surrounding properties or be a disturbance to the activities at the I-95 Complex. The conditions for the operation of the aircraft park on the landfill will be governed by a Memorandum of Agreement between the applicant and the Board of Supervisors. Staff finds the application in harmony with the Comprehensive Plan and applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of SE 2014-MV-051, subject to the proposed development conditions contained in Appendix 1.

Staff recommends that the Board of Supervisors direct the Director of the Department of Public Works and Environmental Services to approve a waiver of the dustless surface requirement pursuant to Par. 11 of Sect. 11-102 of the Zoning Ordinance.

Staff recommends approval of a waiver of Par. 1 of Sect. 13-202 of the Zoning Ordinance for interior parking lot landscaping.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application. It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Statement of Justification
3. Affidavit
4. Draft Memorandum of Agreement
5. Comprehensive Plan Provisions
6. NOVA Parks letter
7. Transportation Memo

PROPOSED DEVELOPMENT CONDITIONS**SE 2014-MV-041****November 26, 2014**

If it is the intent of the Board of Supervisors to approve Special Exception SE 2014-MV-041 located at Tax Map 113-1 ((1)) 14 part for a private club (radio control model aircraft park) pursuant to Sect. 3-C04 of the Fairfax County Zoning Ordinance, and if it does not restrict the ongoing operations of the subject property, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the private club use indicated on the special exception plat approved with the application, as qualified by these development conditions. Other by-right, special permit, and/or special exception uses may be permitted on the application property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Lorton RC Air Park" that was prepared by Fairfax County Department of Public Works and Environmental Services, Capital Facilities, Land Survey Branch on March 11, 2014, and revised through October 9, 2014, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Use of the Landfill Radio Control Model Aircraft Park (Aircraft Park) shall be restricted to members in good standing of the Northern Virginia Radio Control Club (NVRC) and their guests.
5. The Aircraft Park shall only be available for radio control model aircraft use when a NVRC member is present.
6. The days and hours of the use of the Aircraft Park shall be established by a Memorandum of Agreement (MOA) between the County of Fairfax and NVRC.
7. The name and phone number of the NVRC safety officer shall be provided to the DPWES Solid Waste Management Program and to the County's Insurance Manager in the manner set forth in the MOA and shall be provided each time a new person is designated as a safety officer.

8. NVRC may conduct special events at the Aircraft Park, which shall be approved in advance by the DPWES Solid Waste Management Program. The number of events, attendees, and overflow parking shall be established in the MOA.
9. NVRC shall adhere to the operational restrictions and all terms and conditions set forth in the MOA.
10. NVRC shall be responsible for all site activities at the Aircraft Park as set forth in the MOA.
11. NVRC shall secure and maintain a liability insurance policy covering itself and its members and shall name the County, DPWES employees, and volunteers as “additional insured” on the policy. A copy of the certificate of insurance shall be provided to DPWES and the County’s Insurance Manager in the manner set forth in the MOA.
12. NVRC shall be solely responsible for obtaining any necessary licenses and for complying with any applicable Federal, State, and municipal laws, codes, and regulations with the use of the Aircraft Park.
13. Maintenance responsibilities of the Aircraft Park shall be in accordance with the conditions set forth in the MOA.
14. An improved parking area shall be provided in accordance with Article 11 of the Zoning Ordinance and all applicable ordinances.
15. NVRC shall fully and completely comply with the MOA.
16. Use of the Aircraft Park for radio-controlled aircraft operation or maintenance shall not occur during any time period in which the MOA is not in effect, whether by termination or otherwise.
17. Prior to site plan approval, the applicant shall demonstrate that all applicable stormwater regulations have been met.
18. If the MOA is terminated, this SE shall expire.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board of Supervisors.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Special Exception Statement of Justification

Type of Operation(s). The type of operation requested for the subject area is a model airpark that will meet the needs of model aircraft enthusiasts in Northern Virginia. The Northern Virginia Radio Control Model Aircraft Club is a not-for-profit recreational and educational organization whose goals include the safe operation of model aircraft, support and training for youth interested in aviation, and community outreach to train students in the public schools of Fairfax County. The site for this park will be located on the western edge of the center portion of the existing I-95 Landfill Complex in Lorton. It will be sufficiently large and open that it will be possible to operate larger (but not necessarily the largest) model aircraft found in the hobby.

Hours of Operation. Radio controlled model aircraft will use the site from 9:00 AM until sunset (or earlier if the I-95 Recycling and Disposal Facility closes earlier) on days when such activities are permitted. Ideally operations would be permitted seven days a week. However, the applicant understands that the site owner will currently authorize use of the site only on Saturdays and Sundays (and possibly certain holidays) in order to avoid conflicts with its on-going ash disposal operations.

Estimated Number of Patrons. Use of the facility is not expected to exceed twenty (20) cars at any one time except for events permitted by prior agreement with the site owner. These events may include regional contests and air shows that are not expected to exceed fifty (50) cars.

Proposed Number of Employees. There will be no employees. The site will be managed and maintained by member volunteers of the Northern Virginia Radio Control Model Aircraft Club as part of their club membership activities.

Estimate of Traffic Impact. Activities at the site are expected to generate approximately twenty (20) automobile trips per day of site operation. These will be spread across the proposed hours of operation. This estimate is based on activity levels found at other model airparks that offer a similar level of service.

On-Site Parking. On-site parking will be provided to Northern Virginia Radio Control Model Aircraft Club members through a recognized sub-chapter within the Club with a limited membership not to exceed 75 members.

Vicinity to Be Served by the Use. The model airpark will serve the Northern Virginia area with visitors coming principally from Fairfax County. This assessment is based on the resident addresses of current members of the Northern Virginia Radio Control Model Aircraft Club. Visitors from more distant areas are expected to use the site when regional events such as contests and air shows are held. The number of such events is not expected to exceed two to three per year.

Description of Building Façade. The only enclosed building on the site will be a non-permanent, standard residential garden shed (or similar structure) that will be used to house field maintenance equipment and small support items.

Hazardous Substances. Small quantities of gasoline needed to operate field maintenance equipment will be stored on site. Model airplane fuel (alcohol and gasoline) will be used, but not stored, on site.

Conformance with Applicable Ordinances, Regulations, etc. Activities at the model airpark will conform to all ordinances, regulations, standards and the like. The primary concern at a model airpark is conformance with noise regulations. During the spring of 2012 the Northern Virginia Radio Control Model Aircraft Club conducted a series of demonstration flights at the proposed site so that stakeholders in the area could assess the impact of noise that could be produced at the site. Observers included representatives from the I-95 Landfill Complex, the adjacent Lorton Arts Center, and observers in adjacent neighborhoods. No objectionable noise was observed, though the Arts Center did express concern that certain performances at a proposed amphitheater might be disturbed if large aircraft were operating concurrently with a performance. It was agreed that the Arts Center would inform the Northern Virginia Radio Control Model Aircraft Club when such performances were expected and that the Northern Virginia Radio Control Model Aircraft Club would suspend its activities if they were expected to disturb the performance. The noise levels generated during the demonstration were well below the maximum that is permitted at property boundaries.

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 27, 2014
 (enter date affidavit is notarized)

I, Robert M. Freas, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

126201a

in Application No.(s): SE2014-MV-041
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Board of Supervisors of Fairfax County, Virginia	12000 Government Center Parkway, Suite 533 Fairfax, Virginia 22035	Title Owner/Lessor of TM 113-1-((01))-0014
Edward L. Long Jr., County Executive	(same)	Agent
Department of Public Works and Environmental Services, Joyce M. Doughty, Asst. Director Solid Waste Management Program	12055 Government Center Parkway Suite 659 Fairfax, Virginia 22035	Agent for Title Owner/Lessor
Department of Public Works and Environmental Services Capital Facilities, Land Survey Branch Vickie McEntire Anglin, Co. Surveyor	12000 Government Center Parkway Suite 149 Fairfax, Virginia 22035	Agent for the Title Owner
Northern Virginia Radio Control Club Agent: Robert M. Freas	8006 Chippenham Court Fairfax Station, Virginia 22039	Applicant/Lessee

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 27, 2014
(enter date affidavit is notarized)

176201a

for Application No. (s): SE2014-MV-041
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Northern Virginia Radio Control Club
8006 Chippenham Court
Fairfax Station, Virginia 22039

DESCRIPTION OF CORPORATION: (check one statement)

- [] There are 10 or less shareholders, and all of the shareholders are listed below.
[] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

A Non-Profit 501(c)(3) Corporation, with no shareholders.

(check if applicable) [] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 27, 2014
(enter date affidavit is notarized)

for Application No. (s): SE2014-MV-041
(enter County-assigned application number(s))

126201a

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) [] The above-listed partnership has no limited partners:

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 27, 2014
(enter date affidavit is notarized)

for Application No. (s): SE2014-MV-041
(enter County-assigned application number(s))

126201a

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

The Board of Supervisors of Fairfax County, Virginia is the Title Owner of TM 113-1-((01))-0014, which is the subject of this application.

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

Application No.(s): SE2014-MV-041
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 27, 2014
(enter date affidavit is notarized)

126201a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Robert M Freas

(check one) [] Applicant [x] Applicant's Authorized Agent

Robert M. Freas, Treasurer

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 27 day of October 20 14, in the State/Comm. of Virginia, County/City of Alexandria.

Jennifer Michelle Carter
Notary Public

My commission expires: 28 February 17

**Memorandum of Agreement–RC Model Aircraft Use at
the I-95 Sanitary Landfill**

THIS MEMORANDUM OF AGREEMENT (hereinafter “Agreement”), is between the Northern Virginia Radio Control Club (“NVRC”), a non-profit Virginia Corporation, and the Board of Supervisors of Fairfax County (the “Board”).

WITNESSETH:

WHEREAS, the Board recognizes that many of its constituents are radio control (“RC”) model aircraft enthusiasts, and that the making and flying of RC model aircraft is recognized as a healthy and constructive recreation activity; and

WHEREAS, a portion of the I-95 Landfill Complex property (Tax Map No. 113-1 ((1)) Parcel 14) (“the Landfill”), known as the Landfill RC Model Aircraft Park (“Aircraft Park”), has been identified and will be specifically designated for radio control model aircraft use; and

WHEREAS, the Board desires safe and controlled RC model aircraft use by a qualified and experienced organization; and

WHEREAS, NVRC is an experienced and qualified RC model aircraft flying organization which desires the use of a portion of the I-95 Landfill Complex; and

WHEREAS, the Board recognizes that the authority and control of the Landfill is operated and managed by the Fairfax County Department of Public Works and Environmental Services (“DPWES”), and that as such, the Director of DPWES, or his designee, shall be responsible for implementing and managing this Agreement (hereinafter the Board and the Director shall be referred to as “the County”); and

WHEREAS, Special Exception No. SE 2014-MV-041 (“Special Exception No. SE 2014-MV-041” or “SE 2014-MV-041”) for use of this portion of the Landfill as the Aircraft Park relates to and is contingent upon this Agreement;

NOW, THEREFORE, in consideration of the respective covenants and agreements to be kept and performed by the parties, as well as other valuable consideration which the Parties hereby acknowledge, the County and NVRC do mutually agree as follows:

ARTICLE I

SCOPE AND OPERATION

- A. The recitals above are incorporated in full herein.

B. The County has identified a specific area of the Landfill for NVRC to use to fly RC model aircraft. This specific area is labeled as the “Aircraft Park” on Exhibit A,¹ which is attached hereto and incorporated herein by reference.

C. NVRC shall prepare rules governing the use of the Aircraft Park, which rules shall be in accordance with Academy of Model Aeronautics (“AMA”) regulations and safety provisions, as amended (“the rules”). A copy of these rules is attached hereto and incorporated herein by reference as Exhibit B.

D. These rules shall take effect only when they are approved in writing by the County. Upon such approval, NVRC shall promptly post these rules at the Aircraft Park in a conspicuous place and ensure that they remain posted so that people at the Aircraft Park can easily read them. The rules shall be revised upon the request of the County. Once they are approved by the County, these rules shall remain in effect at all times that the Aircraft Park is in use. If any changes are made to the rules, NVRC must provide a copy of the latest version to the County before continuing use of the Aircraft Park.

E. NVRC shall administer the rules of the Aircraft Park and provide on-site supervision during use. The County may, but shall not be required, to administer or enforce these rules in addition to NVRC.

¹ NVRC shall prepare Exhibit A to clearly identify or label the entire Aircraft Park and its component parts.

F. While on the Landfill, NVRC, its members, and guests shall comply with all requests and directions of the County, its employees, designees, and agents.

G. NVRC and the County shall each have independent authority in the Aircraft Park to require the removal of anyone from the Landfill or Aircraft Park who violates the posted rules.

H. NVRC shall supervise radio controlled model aircraft flying at the Aircraft Park at all times. The terms “radio controlled model aircraft” and “aircraft” as used in this Agreement means all model aircraft that flies, including, but not limited to, planes, helicopters, and any other propeller-operated or other radio or other remotely controlled flying model. The County shall have the sole discretion to limit in any way or to completely prohibit the use of a specific aircraft or type or class of aircraft at the Aircraft Park. It shall be sufficient notice to NVRC if the Board or DPWES provides NVRC notice of any such limitation or prohibition in accordance with the Notice Provisions in Article XIV of this Agreement.

I. At its cost, NVRC shall recruit, train, and provide at least one appointed Safety Officer who shall administer the safety and flight rules in the Aircraft Park. NVRC shall provide the current name and phone number of all appointed Safety Officers to DPWES and the County’s Insurance Manager. If

NVRC decides that an individual no longer serves as a Safety Officer, NVRC must notify DPWES and the County's Insurance Manager and provide the new name and phone number of any newly appointed Safety Officer to DPWES and the County's Insurance Manager immediately.

J. Use of and access to the Aircraft Park is restricted to the County, its employees, guests, designees, and agents, NVRC's Safety Officer, members in good standing of NVRC, and their guests. Prior to proceeding to the Aircraft Park and upon leaving the Aircraft Park and the Landfill, NVRC's Safety Officer, members in good standing of NVRC, and their guests shall each check-in and check-out with the County's staff at the Landfill so that the Landfill staff will know who is on the site and whether they have left.

K. While a guest of NVRC is at the Aircraft Park, the guest must be escorted by a member in good standing of NVRC.

L. NVRC shall be responsible for the acts of its agents, Safety Officers, members, and their guests, including, but not limited to, negligent and intentional acts and omissions.

M. NVRC may operate the Aircraft Park only on Saturdays and Sundays from 9:00 AM until sunset as determined by the County or until the Recycling and Disposal Center that is located on the Landfill closes if earlier than sunset. If NVRC wants to use the Aircraft Park on additional days and times, including but

not limited to holidays that do not fall on Saturdays or Sundays, the County must agree in writing with NVRC for such additional use prior to the date of the use.

NVRC shall post these days and hours that use of the Aircraft Park is allowed in a conspicuous place at the Aircraft Park so that people at the Aircraft Park can easily read them.

N. During any use of the Aircraft Park, at least one Safety Officer must be available by phone. This Safety Officer need not be present at the Aircraft Park while it is in use. New NVRC members must be supervised by at least one NVRC member who is in good standing, who is also approved by NVRC to fly without supervision according to the current NVRC Pilot Training and Qualifications Guide (“Training Guide”). New Members shall qualify to fly without this supervision only when NVRC has determined that such new member may do so in accordance with the current Training Guide.

O. Before beginning the use of the Aircraft Park under this Agreement, the NVRC shall provide a complete copy of the current Training Guide and a list of the names of all NVRC members whom NVRC has determined have qualified to fly without supervision to the County. If any changes to the Training Guide or to the list of names are made, NVRC must provide an updated copy of this Training Guide or the updated list of names to DPWES before continuing use of the Aircraft Park.

P. All aircraft and radios shall undergo a standard written preflight check in accordance with the written provisions of such standard preflight checks in the Training Guide.²

Q. No one shall fly or use the Aircraft Park while impaired by the use of alcohol, medications, or drugs. Any use of alcohol or recreational or illicit drugs of any kind at the field are strictly prohibited.

R. No explosives or fireworks of any kind are allowed at the field at any time.

S. No more than 25 cars may be parked at the Aircraft Park at any one time during the hours that the Aircraft Park is in use except for permitted special events as described in Article III of this Agreement. NVRC shall not allow or cause its members, Safety Officers, or their guests to park any larger type of vehicle, including, but not limited to, any large commercial vehicle or multi-passenger vehicle such as a bus, at the Aircraft Park without the County's prior written approval.

T. Each model aircraft at the Aircraft Park shall not exceed 55 lbs. in weight and shall have a muffler to suppress noise. Each model aircraft at the

² NVRC is asked to please confirm that the Training Guide is where the preflight check standards will be listed. If not, NVRC is asked to please provide the name of the other source where the standards for this check are.

Aircraft Park, whether on the ground or being flown, shall not violate any applicable law regulating noise or sound levels.

U. All participants are responsible for removing their trash from the Landfill including, but not limited to, the Aircraft Park.

V. NVRC shall ensure that no more than 5 model aircraft are in flight at any one time.

W. Users of the Aircraft Park shall always fly aircraft within the boundaries of the Overflight Area that is identified on Exhibit A.

X. All aircraft shall be flown in the same traffic pattern as fixed-wing aircraft. Helicopters and similar aircraft shall not be hovered in front of a pilot station or anywhere over the Active Area. All helicopters and similar aircraft shall be started in the pit area. The rotor head shall be held stationary whenever the model is at rest. Helicopters and similar aircraft shall be carried (not flown) between the pit area and the runway.

Y. Flyers shall obtain the proper frequency control pin and attach it to the antenna when in use, and shall maintain their transmitter on the impound stand when not in use. When obtaining a frequency pin, a flyer shall leave his NVRC card in the associated control pin slot or equivalent storage area.

Z. All receivers are to be of the narrow-band type of operation at 20 KHz frequency separation. The 27 MHz, 53 MHz and 2.4 GHz bands are exempt from these requirements.

AA. The use of transmitters on frequencies in the Amateur Radio Service bands above 50 MHz is restricted to persons holding a Technician, General, Advanced or Extra class Amateur Radio Service License issued by the FCC.

ARTICLE II

USE AREA

A. The Aircraft Park consists of the RC model aircraft activities area, also called the pits area, for staging and aircraft maintenance, a runway for take-off and landing, the Overflight Area, and the vehicle parking area. All of these areas are labelled on Exhibit A hereto and are defined in Special Exception No. SE 2014-MV-041.

B. The portion of the Overflight Area, as designated and labeled on Exhibit A hereto, that is outside of the pits area, the runway, and the vehicle parking area will remain in its natural state without any improvements other than stated herein. NVRC, its Safety Officer, members, and their guests shall not enter this area, except as necessary to retrieve an aircraft that was not able to return to the runway.

C. NVRC shall create an improvement to be used as the runway, as designated and labeled on Exhibit A hereto, by removing existing vegetation and planting turf grass. NVRC shall regularly mow the grass and maintain it at height of approximately 2 inches. From time to time, when the ground is suitably soft, NVRC shall roll the runway to achieve a smooth surface. Other than a Safety Officer and approved and qualified members of the NVRC, no one shall go on the runway without being escorted by a Safety Officer or approved and qualified members of the NVRC.

D. NVRC shall create an improvement to be used as the pits area, as designated and labeled on Exhibit A hereto, by removing existing vegetation and planting turf grass. The pits area will be used for assembling aircraft and as a lounging area for pilots and spectators. In the pits area, NVRC may erect the open pavilion, as designated and labeled on Exhibit A hereto, to provide shelter from the elements. Also, in the pits area, as designated and labeled on Exhibit A hereto and as further described in the Agreement, NVRC may also place no more than 2 picnic tables, a small garden shed for storing site maintenance equipment, and a portable toilet. NVRC shall store gasoline on-site only in “safety cans” that are designed to safely store gas and are constructed of metal.

ARTICLE III

SPECIAL EVENTS

A. NVRC may conduct special events at the Aircraft Park. A “special event” is an advertised activity that is anticipated to have more than 35 attendees and is organized for a specific purpose such as a competition. A special event shall have no more than 50 people in attendance and no more than 35 cars at one time at the Aircraft Park.

B. NVRC shall give DPWES notice of all special events. NVRC must not conduct a special event unless it has received the County’s written approval for the special event prior to the date of a special event, and which approval shall be in the County’s sole discretion.

C. Vehicles parked for a special event must first use all of the 25 spaces in the designated parking area and any overflow parking may temporarily be on an unimproved area in accordance with the County’s instructions, including, but not limited to, location and the times during which such overflow parking may occur. Unless approved in writing by the County prior to the day of a proposed use of overflow parking, such overflow parking must not be used for the Aircraft Park on days when there is no special event at the Aircraft Park.

ARTICLE IV

TERM

The term of this Agreement shall be five (5) years from the date of the last signature hereon unless terminated by either party as set forth herein, or unless otherwise limited Special Exception No. SE 2014-MV-041. By mutual written consent of both parties, whenever the term of this Agreement ends, this Agreement may be extended for additional periods of time not to exceed three-years. NVRC shall not use the Aircraft Park unless it has an agreement with the County that sets forth the terms and conditions of the operation of the Aircraft Park. NVRC specifically acknowledges that it does not have an independent right to use the Aircraft Park without the consent of the County and that such consent is established by this Agreement and other agreements of this nature.

ARTICLE V

NVRC SITE ACTIVITIES

NVRC shall be responsible for the following:

- A. NVRC shall monitor activities and participants to ensure safe and proper utilization of the Aircraft Park in accordance with the rules as amended over time.
- B. At no cost to the County, NVRC shall recruit, train, and provide at least one appointed Safety Officer, who is also familiar with the rules and who is

available to the County by phone while the Aircraft Park is in use. The Safety Officer shall enforce the rules.

C. NVRC shall take all reasonable steps to ensure that its Safety Officers are aware of and adhere to all provisions of this Agreement.

D. NVRC shall distribute the most updated version of the Training Guide to all pilots who use the Aircraft Park and require all such pilots to be familiar with the Training Guide.

E. NVRC shall provide educational opportunities to the public for radio-controlled model aircraft activities including learning-to-fly opportunities.

F. While NVRC is responsible for routine maintenance of the Aircraft Park, landfill-related maintenance may be required on the Aircraft Park property or the service road to the Aircraft Park from time to time. As soon as NVRC, whether through the Safety Officer, an NVRC member, guest, or other person, becomes aware of any maintenance or repair needs for the Aircraft Park or the service road to the Aircraft Park that requires County attention, NVRC shall report maintenance and repair needs immediately upon discovery to the County.

G. Every year, on the first day of February, May, July, and October on which day the County's Offices are open, NVRC shall report in writing to DPWES all of the specifically planned events, including, but not limited to, all special events and activities that NVRC expects will occur at the Aircraft Park at any time

in the future (“quarterly reports”). For each event, NVRC shall tell DPWES the nature of the event, the date, time and duration of the event, the expected number of people who will be in attendance, and the expected number of vehicles to be parked at the Aircraft Park. If any accident or injury occurs at the Aircraft Park, NVRC shall immediately or as soon as practical thereafter notify DPWES and the County’s Insurance Manager. NVRC also shall immediately provide DPWES and the County’s Insurance Manager with any information that is requested that is related in any way to the accident, injury, or questions that arise from the occurrence of the accident or injury.

H. NVRC shall be allowed to erect an open pavilion (approximately 14’ by 24’) as identified on Exhibit A hereto to provide shelter from the elements. The pavilion’s design and installation specifications must be approved by DPWES prior to erection.

I. To store site maintenance equipment, NVRC may install a small garden shed after receiving approval for the shed, including but not limited to the shed’s location and size, from DPWES.

J. NVRC shall contract for the installation and maintenance of a portable toilet as identified on Exhibit A hereto. NVRC is responsible to ensure that such sanitation facilities are provided, properly maintained, and available for use at all times that the Aircraft Park is in use. NVRC shall install and maintain additional

portable toilets if attendance at an event warrants additional capacity. NVRC shall be responsible for the acts and omissions of its contractor or other person or entity that installs or maintains such facilities, including, but not limited to, negligence and intentional acts and omissions

ARTICLE VI

INSURANCE AND LIABILITY

A. NVRC agrees to secure and keep in force during the term of this Agreement a liability insurance policy covering itself and, through the Academy of Model Aeronautics (“AMA”), its Safety Officers, members, and their guests with the coverage as set forth in a policy with limits to be not less than \$2,500,000.

B. NVRC shall obtain from AMA additional Commercial General Liability site insurance in the amount of \$2,500,000. The County, the Board, their agents, officials, employees and volunteers (referred to in this Article VI as the “County”) shall be named as “additional insured” on the policy, and on the insurance certificate. NVRC shall provide DPWES and the County’s Insurance Manager with a copy of the certificate of insurance prior to any use of the Aircraft Park and when received from AMA.

C. NVRC shall indemnify, keep and save harmless the County, the Board, their agents, officials, employees and volunteers against claims of any nature, including, but not limited to injuries, death, damage to property, judgments,

suits, liabilities, cost and expenses which may otherwise accrue against the County, the Board, their agents, officials, employees and volunteers in consequence of the granting of this Agreement if it shall be determined that the act was caused through the negligence, error, or omission of NVRC, its members, guests, or other agents. NVRC shall, at its expense appear, defend and pay all charges of attorneys and all costs and other expenses arising therefrom or incurred in connection therewith; and if any judgment shall be rendered against the County in any such action, NVRC shall, at its expense, satisfy and discharge the same.

D. NVRC expressly understands and agrees that any insurance protection required by this Agreement shall in no way limit the responsibility to indemnify, keep and save harmless and defend the County, the Board, their agents, officials, employees and volunteers as herein provided.

ARTICLE VII

LICENSES AND RESPONSIBILITIES OF NVRC

A. NVRC shall be solely responsible for obtaining any necessary licenses and for complying with any applicable Federal, State and municipal laws, codes and regulations in connection with their use of the Aircraft Park. In the event of a violation of any regulations governing such licenses or any Federal, State and municipal laws, codes and regulations in connection with their use of the Aircraft

Park, the County may terminate this Agreement and prohibit all access to the Aircraft Park by NVRC, including but not limited to, any of its members or guests.

B. If NVRC becomes aware of a violation of any regulations governing such licenses or any Federal, State and municipal laws, codes and regulations in connection with their use of the Aircraft Park, NVRC shall immediately or as soon as practical thereafter notify DPWES and the County's Insurance Manager. NVRC also shall immediately provide DPWES and the County's Insurance Manager with any information that is requested that is related in any way to the violation or questions that arise from the violation.

ARTICLE VIII

MAINTENANCE RESPONSIBILITIES

A. The County shall level the runway and pits area for grass planting for model airplane operations, and prepare the parking area with gravel, millings, or suitable material. The County shall also maintain the service road leading to the Aircraft Park.

B. NVRC agrees to maintain the Aircraft Park in a clean and undamaged state and may make minor repairs such as repairing depressions which result from settling.

C. Changes or alterations to the Aircraft Park shall be permitted only with the prior written consent of the County which it may grant or deny in its sole discretion.

D. All improvements to and permanent fixtures upon the Aircraft Park shall become the property of the County.

E. The County may temporarily displace aircraft use at any time, without any advance notice, for any reason including but not limited to conducting maintenance activities or for emergency response.

F. Gas extraction well EW242 is within the overflight area and is located at the western edge of the runway. Prior to the use of the Aircraft Park, and at the County's expense, the County shall move or bury this gas extraction well to provide a clear path for models taking-off and landing.

ARTICLE IX

COMPENSATION AND FEES FOR USE AND MAINTENANCE

A. NVRC shall compensate DPWES the equivalent of five thousand and 00/100 dollars (\$5,000) per year for use of the Aircraft Park, pro-rated for a partial year. This compensation may be provided in dedicated volunteer hours, which shall be based on an hourly rate of twenty dollars (\$20) per hour. Volunteer hours may be earned for mowing of grass, repairing indentations in the ground, maintaining structures used for the Aircraft Park (including repairing and painting

of fencing, picnic tables, pavilion and other structures), and similar maintenance activities, as well as such other tasks as mutually agreeable to the Parties. The annual payment shall be made at the end of each fiscal year, which is on June 30th. This Agreement does not change any of NVRC's agreements with or obligations imposed upon its membership.

B. If the value of volunteer hours provided over the previous year has not amounted to \$5,000, then payment for that year shall be the difference between \$5,000 and the total value of volunteers hours actually worked. If the value of volunteer hours provided is greater than \$5,000, any such overage shall be applied to the next year.

C. NVRC shall include in its quarterly reports to the County, described above in Article V, an accounting of the volunteer hours performed, which shall include the name of the volunteer, the activities performed, the date, and the total number of such hours.

D. All payments shall be in US Dollars made payable to "Fairfax County" and sent to the following address:

Fairfax County
c/o Solid Waste Management Program
12000 Government Center Parkway, Suite 458
Fairfax, Virginia 22035
Attn: Director, Solid Waste Management Program
Lease Payment- NVRC I-95 Landfill RC Model Aircraft Park

E. This compensation shall be consideration for the use and maintenance of the Aircraft Park.

ARTICLE X

TERMINATION FOR CONVENIENCE

A. Either Party may rescind this Agreement for convenience by giving written notice as set forth herein. The County reserves and has the sole right and discretion at all times to cancel and terminate this Agreement without recourse whether with or without cause.

B. This Agreement grants only a license to NVRC to use the property where the Aircraft Park shall be located. In its sole discretion, the County may revoke this license at any time without recourse whether with or without cause.

C. Any special exception or other land use approval granted to it that is related to the Aircraft Park is contingent upon NVRC's full and complete compliance with this Agreement. In the event that this Agreement ceases or terminates, the Air Park may not be used for radio-controlled aircraft use unless and until a new Agreement is in place.

D. This Agreement is contingent upon NVRC's full and complete compliance with all conditions of SE 2014-MV-041 or other land use approvals for the property on which the Aircraft Park is located.

E. Termination hereunder shall be effected by delivery to the other party of a written Notice of Termination as set forth in this Agreement. Termination by the County for cause shall be effective immediately, which determination shall be in the County's sole discretion. Otherwise, termination shall be effective at 5:00 p.m. on the thirtieth calendar day after the day of such mailing. In the event of termination, any payment received by the County from NVRC under the Compensation provisions above shall be refunded on a monthly pro-rata basis less any amounts owed to the County for any reason, whether related to this Agreement or not, including, but not limited to, taxes, damages to person or property, failure to adhere to any provision of this Agreement, or any other reason.

F. This Agreement shall automatically expire and terminate without the need for a Notice of Termination upon the expiration or termination of SE 2014-MV-041.

ARTICLE XI

ASSIGNMENT

NVRC shall not assign or transfer any obligations or rights in this Agreement without the express written authorization of the County. Any such assignment or transfer that is done without the County's prior express written authorization shall be null, void, and of no effect on the Parties' obligations and rights herein.

ARTICLE XII

NON-DISCRIMINATION

NVRC shall not discriminate against any person or group by refusing membership or use of the Aircraft Park to any person on the basis of race, color, sex, age, religious creed, ancestry, national origin, marital status, disability or any similar status that may be protected by any Federal, State, or local law that regulates discrimination by the County.

ARTICLE XIII

NO AGENCY RELATIONSHIP

NVRC shall not be considered nor hold itself out as an agent of the County. None of NVRC's employees, agents, officers, directors, members, Safety Officers or other personnel shall be considered or hold itself out as an agent or sub-agent of the County. If NVRC learns that a person or entity believes or suspects that NVRC is an agent of the County, NVRC must immediately take all practical steps available to clearly communicate to the person or entity that NVRC has never been and is not such an agent, and so notify the County of those efforts.

ARTICLE XIV

NOTICE PROVISIONS

Whenever this Agreement requires that any information, report, or notice shall be given to a Party, such notice shall be deemed sufficient if it complies with the following:

Notice to NVRC shall be adequate when sent by certified mail to its Authorized Representative at the address on file with DPWES and the County's Insurance Manager or to any officer or director of NVRC at the following address:³

Notice to the County shall be adequate only when copies are sent by certified mail to both of the following:

DPWES
Mark Katrina, or his successor
I-95 Landfill Complex Manager
9850 Furnace Road
Lorton, Virginia 22079
Tel. (703) 690-1703

³ NVRC must provide this contact information, including a specific person, mailing address and telephone and fax number.

and

David Bobzien or his successor
County Attorney for Fairfax County, Virginia
1200 Government Center Parkway, Suite 549
Fairfax, Virginia 22035
Tel. (703) 324-2421
Fax (703) 324-2665
RE: I-95 Landfill Complex – Remote Control Model Aircraft Park

If a specific provision of this Agreement requires that notice be given to the County's Insurance Manager, such notice shall be given to DPWES and to the County Attorney as set forth above and also to the County's Insurance Manager by certified mail and email addressed as follows:

Leonard S. Clark, Insurance Manager or his successor
Risk Management Division
Department of Finance
Risk Management Division
12000 Government Center Parkway, Suite 215
Fairfax, VA. 22035 Email: Leonard.Clark@fairfaxcounty.gov
Tel. (703) 324-3051

If a provision of this Agreement requires that the County or the County's Insurance Manager be given notice immediately, NVRC must send such information in writing accordance with the provisions above and must also give such information immediately by telephone by calling each of the telephone numbers of DPWES, the County Attorney, the County's Insurance Manager listed above and providing in each telephone call the information required in the

respective provision of this Agreement either to a person or to an answering service

When giving notice pursuant to this Article, the party giving the notice shall include the name, position or title, physical address, mailing address, and telephone number of the individual giving such notice or to whom any response or questions should be sent so that the person may be contacted by the recipient of the notice.

ARTICLE XV

GOVERNING POLICIES

NVRC shall comply with all conditions of all land use approvals for the Aircraft Park and the Landfill including but not limited to any conditions of SE 2014-MV-041, all terms and conditions of this Agreement and any other agreements entered into with the County or any of its agencies, all applicable Federal, State, and local rules, regulations, procedures, and any and all policies of the County. In the event of a conflict between this Agreement and the conditions of SE 2014-MV-041, the terms of the conditions of SE 2014-MV-041 shall govern.

ARTICLE XVI

GOVERNING LAWS AND INTERPRETATION

This Agreement shall be construed, interpreted, and enforced according to the laws of Fairfax County and the Commonwealth of Virginia, without regard to its choice of laws.

ARTICLE XVII

ENTIRE AGREEMENT AND COUNTERPARTS

This Agreement, including all exhibits that are attached hereto and incorporated herein by reference, contains all of the terms and conditions made between the parties and may not be modified orally or in any other manner other than by written Agreement signed by all the parties or their respective successors in interest. This Agreement may be executed in two counterparts, each of which shall be deemed an original, but all of which together shall constitute one in the same Agreement.

IN WITNESS WHEREOF, the parties executed this Agreement:

ATTEST:

Board of Supervisors for Fairfax County

By its designee: David Molchany
Deputy County Executive, Fairfax County

Date

ATTEST:

NVRC

President, NVRC

Date

Exhibit A

Landfill RC Model Aircraft Park

[This Exhibit should only depict the separate areas of the Aircraft Park and any features (such as the parking, pavilion, and portable toilets) as described in the Agreement. Please have this Exhibit revised to conform to use different, distinctive colors for each area instead of using different shades of green for all areas.]

Also, please do not include obligations of NVRC in the Exhibit. All of NVRC's obligations should be contained only in the Agreement's provisions above.]

**FIELD ETIQUETTE
AND
RECOMMENDED OPERATING PROCEDURES**⁴

1. Each member is responsible for removing his trash
2. Pilots should use the appropriate preflight inspection and/or initial inspection checklist contained in the current NVRC Pilot Training/Qualification guide prior to the first flight of the day on each aircraft to be flown.
3. Only NVRC members, pilots and escorted guests are allowed on North side of the spectator fence. An escorted guest is one who is under the direct supervision of an NVRC club member. The guest should have been briefed by the member as to proper, safe behavior, and should be acting in a responsible manner. The guest should never be at the impound area, on the flight line, walking among other pit areas unsupervised, or be inattentive to the hazards of the field.
4. It is recommended that flying be done north of the runway whenever practical.
5. Taxiways are defined at the east and west ends of the pilot area, and at the edge of the runway just north of the Foul Line. Aircraft should not be taxied in the area between the pilot line and the transmitter impound stand, nor into the pits.
6. Runway usage should be controlled by good **communications** between flyers. Announce your intentions.
7. AMA guidelines for propeller spinners or safety nuts should be followed whenever practical.
8. Engines should not be stopped by contact with the spinner or propeller except in emergencies.
9. Engine restarts on the runway are not recommended.
10. Transmitters should be marked with the owner's name clearly visible.
11. If others are waiting for the frequency pin, the **maximum time allowed** for engine testing/other maintenance and flight should be 15 minutes.

⁴ Before these rules are finalized, NVRC is requested to please confirm that these Rules are updated to be in accordance with current AMA safety regulations.

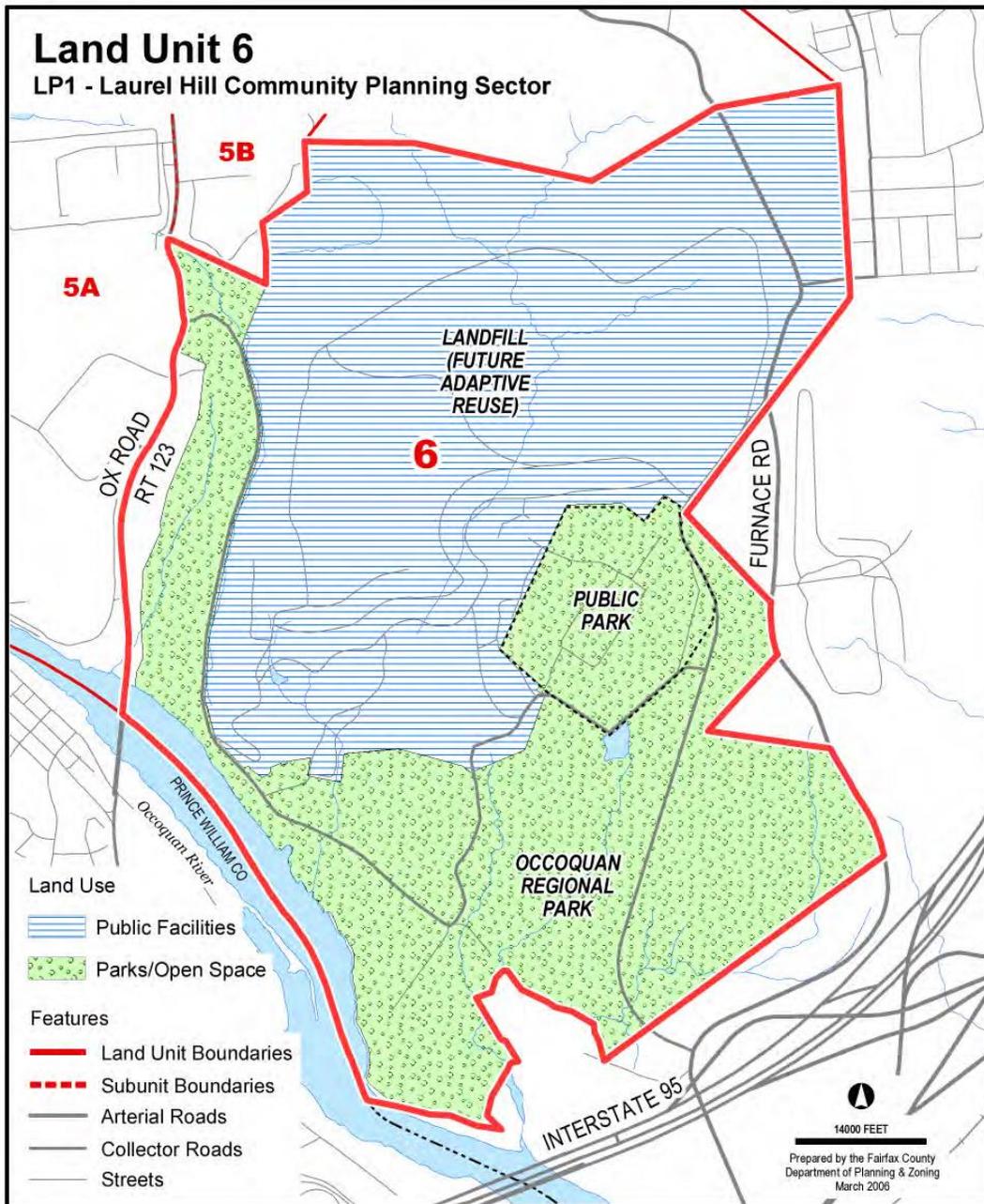
Field rules

1. Flyers must be AMA members. Additionally, they must be either a NVRC club member or an accompanied guest of a NVRC club member.
2. New club members will qualify for unsupervised flight status in accord with the current NVRC Pilot Training and Qualification Guide.
3. No pilot will fly while impaired by the use of alcohol, medications, or drugs.
4. All flying will be done north of the FOUL LINE, Flyers will not stand on the airfield and/or the taxiways when flying.
5. No more than five (5) aircraft may be in the air at the same time.
6. Engines will not be run up in the pits.
7. No torque rolls over the short grass, also known as the runway.
8. Flyers will obtain the proper frequency control pin and attach it to the transmitter antenna when in use. When obtaining a frequency pin, a flyer will leave his NVRC club card (or his AMA card if he is a guest) in the associated control pin slot.
9. Radios will be range checked before the first flight of the day.
10. No explosives or fireworks of any kind are allowed at the field at any time.
11. All engines having a displacement of more than 0.10 cubic inches must be fitted with an effective silencing device when being operated at the flying site.
12. All receivers are to be of the narrow-band type for operation at 20 KHz frequency separation. The 27 MHz, 53 MHz bands, and 2.4GHz are exempt from these requirements.
13. The use of transmitters on frequencies in the Amateur Radio Service bands above 50 MHz is restricted to persons holding a Technician, General, Advanced, or Extra class Amateur Radio Service License issued by the FCC.
14. All transmitters will be marked with the appropriate channel number and/or colored wind streamers) as outlined in the AMA Membership Manual.
15. Members of the Safety Committee may inspect aircraft to insure that it complies with the narrow-band receiver requirement. Instructors, while doing a safety inspection of a student's aircraft, should also ensure that the narrow-band requirements are met before the aircraft is allowed to fly.

Fairfax County Comprehensive Plan, 2013 Edition Area IV, Lower Potomac Planning District, Amended through June 3, 2014, LP1-Laurel Hill Community Planning Sector Page 57-59.

LAND UNIT 6

Land Unit 6 is comprised of approximately 900 acres (see Figure 22). It is gently rolling and heavily treed to the south, with the land surface stripped and re-terraced to the north to accommodate the I-95 Landfill and the I-95 Energy/Resource Recovery Facility (see Figure 23).



Land Unit 6 is generally bounded by Furnace Road on the east, the Occoquan River to the south, the Laurel Hill Greenway and a portion of Mills Branch to the west and the boundary of the I-95 Landfill to the north. The I-95 Landfill and the I-95 Resource/Recovery Facility are both planned to be retained for the long term. The Occoquan Regional Park, expansive open space and EQC associated with the Occoquan River and Mills Run, and the former Youth Correctional Facility are located in the southern portion of this land unit. The extensive EQC areas to the south and west along the Occoquan River and Mills Run should be preserved.

The remainder of this land unit should be developed with public and institutional use in accordance with the following land unit guidance:

- The landfill's numerous gas extraction wells will need to be monitored and maintained for a minimum of thirty years after closure. The ash disposal area remains highly active and the Energy/Resource Recovery Facility will remain active for the long term. The road network serving the landfill area should be retained and improved to minimize negative traffic impacts. Truck traffic should be separated from park and recreational traffic.
- The portion of the I-95 Landfill currently under closure procedures should be considered for adaptive reuse for active and passive recreational purposes and should be part of the long-term expansion of the Fairfax County park system or of the Occoquan Regional Park to further serve the needs of the Northern Virginia area.
- The former Youth Correctional Facility is planned for public park use by the FCPA. The Occoquan Regional Park should be expanded northward to the southern boundary of the I-95 Landfill, excluding the former Youth Correctional Facility, in order to expand both passive and active recreational opportunities for the Northern Virginia area and to preserve substantial open space and EQC areas. In addition, adjacent to this park expansion area, a single telecommunications tower should be provided to serve Fairfax County and potentially other users for public communications needs. The land area needed for this tower should be conveyed to Fairfax County, along with an access easement through the future park, to be provided by the Northern Virginia Regional Park Authority.
- The major equestrian/pedestrian trail along the Occoquan River should connect with the Laurel Hill Greenway which runs north/south through LP1 and ultimately connects with the District Park located on the former Dairy Farm site. The EQC running adjacent to the Occoquan River should be planned for passive recreational uses such as hiking and picnicking.
- The area adjacent to the proposed Ox Road bridge improvement over the Occoquan River should be designed in such a way as to establish a visually attractive gateway to Fairfax County at this highly visible location.



NOVA P A R K S

Northern Virginia Regional Park Authority

5400 Ox Road, Fairfax Station, VA 22039 | 703-352-5900 | Fax: 703-273-0905 | www.novaparks.com

September 15, 2014

Mary Ann Tsai, AICP
 Fairfax County
 Zoning Evaluation Division
 Department of Planning and Zoning
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035

RE: Remote Control Air Park; SE-2014-MV-041

Dear Ms. Tsai:

We have reviewed the Special Exception application referenced above and offer the following comments.

As you know, NOVA Parks operates the 400-acre Occoquan Regional Park, which offers ball fields, boating, fishing, nature trails, and picnic shelters. Portions of the Fairfax Cross County Trail, Laurel Hill Greenway, and Potomac Heritage National Scenic Trail traverse the park. The CCT and Laurel Hill Greenway's southern trailheads are within the park at the Occoquan River shoreline. The park includes the Lorton Workhouse's historic brick kilns associated with imprisoned suffragists, which will be part of the proposed Turning Point Suffragist Memorial. NOVA Parks is planning extensive park redevelopment, including both indoor and outdoor special event facilities.

It appears from the Special Exception plat that the proposed use extends over park property, including the park entrance road. The paved, shared-use trail along the park entrance road is the designated portions of the Cross County Trail, Laurel Hill Greenway, and Potomac Heritage National Scenic Trail within the park. The trail connects to the paved trail along Ox Road. NOVA parks has serious safety and noise concerns regarding the use of model aircraft over the park entrance road, over the heavily used trail, and in the vicinity of other park uses. Therefore, we require that the location of the use be adjusted outside the limits of the park and that potential noise impacts within the park be addressed. Moreover, the applicant would be required to obtain permission from NOVA Parks for the proposed use within Occoquan Regional Park.

City of Alexandria
 David M. Pritzker
 Scott Price

Arlington County
 Paul Ferguson
 Michael A. Nardolilli

Fairfax County
 Stella Koch
 Laura Grape

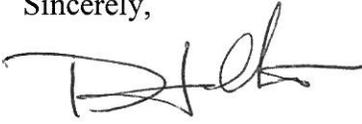
City of Fairfax
 Brian D. Knapp
 Arthur F. Little

City of Falls Church
 Barry D. Buschow
 Jeffrey Tarbert

Loudoun County
 Joan G. Rokus
 Daniel Kaseman

Thank you for the opportunity to comment. Please contact me at (703) 359-4628 or diglhaut@nvrpa.org. if you have any questions or would like to discuss our comments in more detail.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Iglhaut', with a long horizontal flourish extending to the right.

Daniel Iglhaut
Land Manager

c: Todd E. Hafner, Director of Planning and Development
John Houser, Manager, Occoquan Regional Park



County of Fairfax, Virginia

MEMORANDUM

DATE: September 22, 2014

TO: Barbara Berlin, Director
Zoning Evaluation Division,
Department of Planning and Zoning

FROM: Michael A. Davis, Acting Chief 
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2014-MV-041)

SUBJECT: Transportation Impact

REFERENCE: SE 2014-MV-041: Northern Virginia Radio Control Park
Land Identification Map: 113-1 ((01)) 14 part

The request is for the operation of small size airport for the operation of remote controlled model aircraft. The proposed will be located on the western edge of the center portion of the existing I-95 landfill complex in Lorton. Access for the site will be off Furnace Road and located on the internal access road delineated as Mordor Road. The hours of operation are on Saturdays and Sundays (and possibly some holidays) with site operations curtailed during certain performances at a future amphitheater on the adjacent Lorton Arts Center.

Activities are expected to generate approximately twenty (20) automobile trips per day with occasional air show that is not expected to exceed fifty (50) cars per day.

The department provides the following:

- The zoning ordinance for the subject special exception requires an adequate parking surface. Therefore, this department requests the construction of an on-site gravel parking area large enough to park 20 vehicles.

SE2014MV041NorthernVirginiaRadioControlPark